

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HONG VAN NGUYEN,	)	
	)	NO. C09-455-RSM-MAT
Petitioner,	)	(CR06-307-RSM)
	)	
v.	)	(PROPOSED)
	)	ORDER DIRECTING
UNITED STATES OF AMERICA,	)	ATTORNEY TO RESPOND TO
	)	ALLEGATIONS
Respondent.	)	

Having reviewed the Government’s motion for an order permitting petitioner’s attorney to respond to allegations in his petition under 28 U.S.C. § 2255, and based upon the reasons set forth in that Motion, and there being no opposition,

IT IS HEREBY ORDERED that petitioner Hong Van Nguyen, by raising issues related to his legal representation in his motion to vacate his sentence, has waived his attorney-client privilege for the purpose of litigating that motion. Accordingly, Mr. Nguyen’s former attorney, Allen Ressler, is hereby authorized to provide evidence of his conversations with Mr. Nguyen, concerning the issues raised by the defendant in his petition, to the government and the Court, including otherwise privileged legal conversations.

IT IS FURTHER ORDERED that Mr. Ressler shall testify at any required evidentiary hearing in this matter.

1 IT IS FURTHER ORDERED that, absent further orders from this Court, the  
2 evidence provided pursuant to this Order shall be used solely for the purpose of litigating  
3 the petitioner's motion to vacate his sentence, and shall not be admissible against  
4 petitioner in any other proceeding. This Order shall remain in effect even after the Court  
5 has rule on the motion to vacate. Both parties retain the right to apply to the Court for  
6 modification of this Order.

7 DONE this 22nd day of May, 2009.

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10 Mary Alice Theiler  
11 United States Magistrate Judge  
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13 Presented by:

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